

each destination location being associated with said first call type or said second call type.

REMARKS

Claims 3 and 31 were rejected under 35 U.S.C. §112, second paragraph for failing to include a proper antecedent basis. These claims have been revised to correct these minor informalities. These changes are not related to patentability.

Claims 1-39 were rejected based on 35 U.S.C. §102(e) using U.S. Patent No. 6,327,258 to Deschaine et al. ("Deschaine").

Deschaine discloses a method for detecting and routing Internet calls. In contrast, the present invention detects and routes first and second "call types" (e.g., voice and IP calls). Deschaine is totally unconcerned with the forwarding or making of both call types; only one call type is discussed in Deschaine.

Claims 1 and 39 have been amended to more distinctly claim and point out this feature of the present invention. Independent claims 19 and 23 already contain this feature.

New claims 40 and 41 have been added based on claims 1 and 7, and 19 and 20 (parts of 20), respectively. These claims add the feature of translating calls detected in a first protocol (e.g., voice) to a second protocol (e.g., data).

Though the Office Action cites column 5, lines 6-11 and 22-25 in Deschaine as disclosing this feature, no such translation is discussed or suggested therein.

The cited passages in Deschaine describe the use of messages based on an Internet-like protocol. No conversion from a voice protocol to an Internet protocol is disclosed in Deschaine, nor is it suggested because Deschaine is not concerned with the detection or forwarding of information contained in voice calls.

Accordingly, withdrawal of the rejections and allowance of claims 1-41 is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please amend claims 1, 3, 31 and 39 as follows:

1. (Amended) A method for routing calls over a communications network from an origin location to a destination location associated with a call type, said calls comprising signaling data and traffic data, the method comprising the steps of:

receiving signaling data from the origin location;

determining said call type from said signaling data that has been received wherein said call type is characterized as a first call type or a second call type;

directing said signaling data to said destination location associated with said first or second call type that has been determined to establish a call; and controlling a switch serving said destination location to direct traffic data from the origin location to said destination associated with said first or second call type.

3. (Amended) The method of Claim 1 wherein said step of determining a call type [from said initial message that has been received] further comprises the steps of:

decoding said signaling data [initial message];
determining a called directory number from said signaling data [initial message] that has been decoded; and
matching said called directory number with an entry of a predetermined table correlating directory numbers, said call types, and said destination locations.

31. (Amended) The apparatus of claim [23] 30 wherein said transmitter comprises:

means for transferring said Q.931 information across a Primary Rate Interface to said second type destination network element.

39. (Amended) A destination call router for directing voice and data calls across the PSTN to call destinations and for providing network congestion relief for data calls, said calls including signaling and traffic, said destination call router comprising:

[an] a plurality of asynchronous transfer mode switches; and
a Broadband Interworking Call Router (BICR) connected with said asynchronous transfer mode switches, said BICR intercepting signaling of a first or second protocol, said BICR translating signaling to a second protocol when receiving signaling for said data calls in said first protocol, said BICR and

routing said intercepted signaling to said call destinations, [said BICR]
controlling said plurality of asynchronous transfer mode switches to direct
traffic to said destinations [destination locations].

Claims 40 and 41 have been added by way of this Amendment.